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10. (Newly Added) The method according to claim 1, wherein the remote server remotely manages the automated cross connect switch to disconnect a specified main distribution frame port representing a predetermined customer line from the second port of the second piece of the service provider equipment and reconnect the specified main distribution frame port to a third port of a third piece of service provider equipment.

### **REMARKS**

The applicants have carefully reviewed the office action mailed on June 25, 2004. In response to the Office action, the applicant has amended claim 1 and added a new claim 10. The amendments highlight that applicant's cross connect switch is an automated cross connect switch capable of being controlled remotely to interconnect ports of equipment.

In the Office Action, the examiner rejected claim 1 under 35 U.S.C. §102 as being unpatentable over U.S. Patent No. 6,301,351 to King. King discloses a device and method for transferring service of a local loop from one local exchange carrier to another competing local exchange carrier. A first local exchange carrier has a first switch connected to a distribution frame, which is connected to subscribers. A second local exchange carrier sets up a second switch and an interface in proximity to the distribution frame, and "half-laps" the interface with the connection between the first switch and the distribution frame. The second local exchange carrier has control over the first switch to connect or disconnect it from the distribution network. In essence, every subscriber is connected to two switches, the first switch of the first local exchange carrier and the second switch of the second local exchange carrier. Whichever carrier's

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switch is activated for that subscriber line is the switch that provides service to the subscriber. Subscriber service is changed by deactivating one switch and activating the other, not by any automated cross connect switches.

By contrast, claim 1 highlights providing telecommunications service by providing a remote server to remotely manage the automated cross connect switch for creating interconnections between a first specified port of a first piece of service provider equipment and a specified port of the main distribution frame representing a given customer line, and for providing a remote server to remotely manage the cross connect switch to physically remotely disconnect and reconnect a specified main distribution frame port representing a given customer line. This results in a new connection between a first specified port of a first piece of service provider equipment and a second specified port of a second piece of service provider equipment. In this scenario, the second specified port of a second piece of service provider equipment could be replaced by yet another third specified port of a third piece of service provider equipment, or even a forth or fifth, etc.

King does not perform any automated cross connections. King disables one pre-connected line to enable another pre-connected line, both of which are half tapped. Since a typical distribution frame can only support two taps on any given port, only one half tap can be supported for that port. Thus King could not support a third, forth or fifth piece of service provider equipment to a given port.

King does not disclose an automated cross-connect switch operable to remotely establish physical connections. Rather, King discloses a manual distribution frame connected to local exchange carrier switches. Neither the distribution frame nor the local exchange carrier switches are automated cross connect switches operable to establish physical connections via remotely transmitted commands from a server. Likewise, subscriber service is changed by deactivating

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one telephone switch and activating the other, not by performing any cross connects. As disclosed by King, the distribution frame is an apparatus in which the connections are connected, disconnected, and modified manually. This distribution frame is not an automated cross connect switch and cannot perform the functions of an automated cross connect switch, such as changing a connection in response to receiving a command. For the foregoing reasons, King lacks a teaching of claimed elements of claim 1 and does not anticipate claim 1.

The Examiner rejected claims 2-4 and 6-9 were under 35 U.S.C. §103(a) as being unpatentable over King in view of U.S. Patent No. 6,512,762 to Renucci et al. ("Renucci"). The Examiner rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over a combination of King, Renucci and U.S. Patent No. 6,829,250 to Voit et al. ("Voit").

King lacks a teaching of an automated cross connect switch. Neither the Renucci nor Voit references provides this teaching. Accordingly, the Examiner has not made out a case of prima facie obviousness relative to claim 1 as amended or claims depending therefrom.

For the foregoing reasons, reconsideration and allowance of the remaining claims is respectfully requested. If the Examiner has any questions about this Amendment and to facilitate prosecution, the Examiner is encouraged to call the undersigned attorney.

Respectfully submitted,

SWIDLER BERLIN SHEREFF FRIEDMAN, L.L.P.

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By: 

Robert C. Bertin, Registration No. 41,488  
3000 K Street, NW, Suite 303  
Washington, D.C. 20007  
(202) 424-7500 Telephone  
(202) 295-8478 Facsimile